

# DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration submitted with initial filing

☒ Declaration submitted after initial filing (surcharge (37 CFR 1.6(e) required))

First Named Inventor: Dmitry Rabkin

COMPLETE IF KNOWN:

Application Number: 09/845,098

Filing Date: April 27, 2001

Group Art Unit: \_\_\_\_\_

Examiner Name: \_\_\_\_\_

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Apparatus for Deploying and/or Retrieving and/or Repositioning a Stent Having a Shape Memory  
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YY) 04/27/01 as United States Application Number or PCT International Application Number 09/845,098 and was amended on (MM/DD/YY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability of this application as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YY)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YY)	Parent Patent Number (if applicable)

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☒ Customer Number 21831

Direct all correspondence to:

☒ Customer Number 21831

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

Given Name (first and middle [if any])      Family Name or Surname

Dmitry      Rabkin

Inventor's Signature *Dmitry I. Rabkin*      Date 4/16/01

Residence: City Chestnut Hill      State MA      Country U.S.      Citizenship U.S.

Post Office Address 79 Wallis Road, Chestnut Hill, MA 02467

NAME OF ADDITIONAL JOINT INVENTOR, IF ANY:

Given Name (first and middle [if any])      Family Name or Surname

Eyal      Morag

Inventor's Signature [Signature]      Date 04/16/01

Residence: City East Hampton      State MA      Country U.S.      Citizenship U.S.

Post Office Address 19 Park Street, East Hampton, MA 01027

NAME OF ADDITIONAL JOINT INVENTOR, IF ANY:

Given Name (first and middle [if any])      Family Name or Surname

Ophir      Perelson

Inventor's Signature [Signature]      Date 4/16/01

Residence: City Beverly Hills      State CA      Country U.S.      Citizenship U.S.

Post Office Address 8730 Wilshire Blvd., Suite 520

Beverly Hills, CA 90211

01-04-2002

FORM PTO-1595  
(Rev. 6-93)U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

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**PATENTS ONLY**

1.2.02

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

1) Dmitry RABKIN; 2) Eyal MORAG; 3) Ophir PERELSON

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: InTek Technology L.L.C.

Address: 2711 Centerville Road #400

Wilmington, Delaware 19808

## 3. Nature of conveyance:

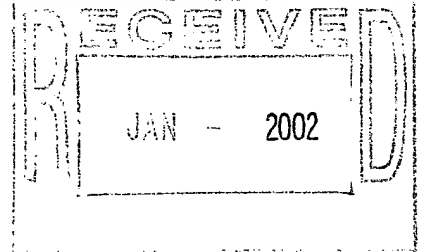
☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other: \_\_\_\_\_Additional name(s) & address(es) attached? ☐ Yes ☒ No

Execution Dates: April 16, 2001; April 16, 2001; April 16, 2001

## 4. Application number(s) or patent number(s):

A. Patent Application No(s): 09/845,098

B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Steinberg &amp; Raskin, P.C.

Address: 1140 Avenue of the Americas, 15th Floor

City: New York State: NY Zip: 10036-5803

Our Ref.: 471.1003

## 6. Total number of applications and patents involved: [1]

## 7. Total fee (37 CFR 3.41).....\$40.00

☒ Enclosed  
☐ Authorized to be charged to deposit account

## 8. Deposit account number:

500518

☒ Authorized to charge additional fees to deposit account

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Paul J. Higgins, Reg. No. 44,152  
Name of Person Signing

Signature

November 13, 2001  
Date

Total number of pages including cover sheet, attachments, and document: [4]

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

01/03/2002 LMUELLER 00000305 09845098

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## ASSIGNMENT

WHEREAS, WE

Dmitry Rabkin, citizen of United States, residing at 79 Wallis Road, Chestnut Hill, MA, 2467, United States; and Eyal Morag, citizen of United States, residing at 19 Park Street, East Hampton, MA, 01027, United States and Ophir Perelson, citizen of United States residing at 8730 Wilshire Blvd., Suite 520, Beverly Hills, CA 90211 ASSIGNORS,

are the inventors of a new and useful

Apparatus for Deploying and/or Retrieving and/or Repositioning  
a Stent Having a Shape Memory

for which We have made an application for a Patent of the United States

X which is executed on April 16, 2001 (date)

X which is identified by Steinberg & Raskin, P.C., Docket No. 471.1003

X which was filed on April 27, 2001, Serial No. 09/845,098

We hereby authorize and request my attorney, Steinberg & Raskin, P.C. of 1140 Avenue of the Americas, New York, New York 10036 to insert here in parentheses (application number 09/845,098, filed 04/27/01) the filing date and application number of said application when known.

and WHEREAS, InTek Technology L.L.C. of 2711 Centerville Road #400, Wilmington, Delaware 19808, ASSIGNEE is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I/WE HEREBY covenant and agree that I/we have full right to convey the entire interest herein assigned, and that I/we have not executed, and will not execute, any agreement in conflict herewith.

AND I/WE HEREBY further covenant and agree that I/we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I/we hereunto set my/our hand and seal the day and year set opposite my/our signature(s).

Date 4/16/01

Dmitry J. Rabkin  
Dmitry Rabkin

Date 04/16/01

Eyal Morag  
Eyal Morag

Date 4/16/01

Ophir Perelson  
Ophir Perelson